

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 30-52 are pending in this application. Claims 30 and 51 are independent. Claims 19-29 are hereby canceled without prejudice or disclaimer of subject matter. Claims 1-18 were previously canceled.

Claims 30-52 are hereby added. Support for these new claims is provided throughout the Specification and, more specifically, at least at pages 9, 12, 14-17 and 23 of the Specification as originally filed. No new matter has been introduced by this amendment. New claims 30-52 are introduced for clarification and to round out the scope of protection to which Applicants are entitled.

II. 35 U.S.C. § 102(b) REJECTIONS

Previous claims 19, 28 and 29 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by Tiger Electronics 2-XL ("Tiger").

III. 35 U.S.C. § 103(a) REJECTIONS

Previous claims 19, 28 and 29 were rejected under 35 U.S.C. §103(a) as allegedly unpatenable over U.S. Patent No. 4,654,659 to Kubo ("Kubo") in view of Tiger. Previous

claims 20, 21 and 27 were rejected under 35 U.S.C. §103(a) as allegedly unpatenable over Kubo in view of Tiger and further in view of U.S. Patent No. 4,642,710 to Murtha et al. (“Murtha”) and U.S. Patent No. 4,305,223 to Ho (“Ho”). Previous claims 22-26 were rejected under 35 U.S.C. §103(a) as allegedly unpatenable over Kubo in view of Tiger, Murtha, Ho and U.S. Patent 6,175,772 to Kamiya et al. (“Kamiya”).

While Applicants understand that the previous claims have been replaced with the presently pending claims, Applicants submit that the new claims are patentable in view of the art used as a basis of rejection of the previous claims.

New independent claim 30 recites, *inter alia*:

“...generating means for generating signals as a function of the sensed external conditions and one or more operational indicators of the robot apparatus;
and

control means for controlling the emitting means,
wherein the control means receives said signals from the generating means and provides control signals, as a function of said signals, for the emitting means such that the emitting means selectively emit light representative of a state of the robot apparatus.” (emphasis added)

As understood by Applicants, Tiger relates to a battery operated tape cassette player in the shape of a robot, which has “eyes” that flash in a pattern and a “mouth light” that blinks while the tape is played.

As understood by Applicants, Kubo relates to a remote control toy that includes a remote housing and a main housing. The remote housing has a transmitter and a signal generator associated with the transmitter. A plurality of function switches governs the signal generator. Depending upon the signal received, a decoder outputs to one or more of its output ports, which are connected to appropriate output devices. One of these includes a tape drive that carries a tape and is capable of recording a sequence of control functions

transmitted by the remote module to the main module. The tape can be played back at a later time period whereby the main module will output the particular sequence of control functions in response to the record of these functions stored on the tape.

As understood by Applicants, Murtha relates to an animated display in the form of a representation of a face that is controlled by an associated audio tape player and a microprocessor-controlled liquid crystal display. The facial features vary responsively to the audio signals of the tape player as controlled by the microprocessor.

As understood by Applicants, Ho relates to an illuminated eyeball for toys that includes a plurality of light emitting diodes (LED), a power apparatus for supplying electrical power to the plurality of light emitting diodes and a plurality of switches. Touching or switching the switches causes the light emission diodes to emit changeable light.

As understood by Applicants, Kamiya relates to a method for controlling operation of an object. This method includes the steps of: defining pseudo-emotions of the object for deciding output of the object, in relation to the user's state and formulating emotion generation algorithms to establish the relationship between the user's state and the pseudo-emotions. Behavior decision algorithms are formulated to establish the relationship between input, including the pseudo-emotions, and the behavior of the object. The user's state is detected and a pseudo-emotion of the object is generated based on the user's state using the emotion generation algorithms.

Applicants submit that nothing has been found in any of the above-discussed references that, taken alone or in combination, would teach or suggest, generating signals

as a function of the sensed external conditions and one or more operational indicators, which include, but are not limited to, a temperature indication, a battery power level indication, and a strength of desire indication.

Furthermore, Applicants submit that nothing has been found in any of the above-discussed references that, taken alone or in combination, would teach or suggest that the control means receives the signals from the generating means and provides control signals, as a function of the signals, for the emitting means such that the emitting means selectively emit light representative of a state of the robot apparatus, as recited in new claim 30.

Thus, Applicants respectfully submit that claim 30 is allowable.

Independent claim 51 recites, *inter alia*:

“...a recognition unit adapted to generate first signals as a function of sensed data;

a condition unit, coupled to the recognition unit and adapted to generate condition signals as a function of the first signals and second signals, the second signals relating to one or more operational indicators of the robot apparatus; and

a control unit, coupled to the condition unit, the control unit adapted to generate control signals as a function of the condition signals and provide the control signals to the emitting unit to control operation of the emitting unit.” (emphasis added)

Applicants submit that nothing has been found in any of the above-discussed references that, taken alone or in combination, would teach or suggest the features of claim 51, and particularly the above-identified features of claim 51. Therefore, Applicants submit that claim 51 is allowable.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own

merits is respectfully requested.

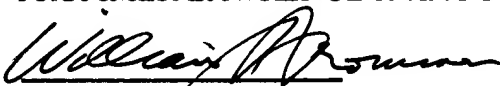
CONCLUSION

While Applicants note that the Office Action indicates additional art, which was not used as a basis of rejection, Applicants do not represent that an exhaustive review of such additional art has been performed.

Statements appearing above in respect to the disclosures in the cited references represent the present opinions of the undersigned attorney and, in the event the Examiner disagrees with any of such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Respectfully submitted,
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